

UNITED STATES DISTRICT COURT
 for the
 District of Oregon

Greater Hells Canyon Council et.al,)
)
 v.) Case No.: 2:17-cv-00843-SU
 Kris Stein et. al,)
)

BILL OF COSTS

Judgment having been entered in the above entitled action on 08/17/2018 *Date* against Plaintiffs,
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$
Fees for service of summons and subpoena
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case
Fees and disbursements for printing
Fees for witnesses (<i>itemize on page two</i>)	0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case
Docket fees under 28 U.S.C. 1923
Costs as shown on Mandate of Court of Appeals
Compensation of court-appointed experts
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828
Other costs (<i>please itemize</i>)	1,262.10
TOTAL	\$ 1,262.10

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: /s/ Lila C. Jones

Name of Attorney: Lila C. Jones

For:	Defendants <i>Name of Claiming Party</i>	Date: <u>08/30/2018</u>
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Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By:

Clerk of Court

Deputy Clerk

Date

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

SHAUN M. PETTIGREW
LILA C. JONES
U.S. Department of Justice
Environment & Natural Resources Division
601 D Street, NW
Washington, D.C. 20004
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 (202) 514-9859 (Jones)
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lila.jones@usdoj.gov

THE HONORABLE PATRICIA SULLIVAN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

GREATER HELLS CANYON COUNCIL and Case No.: 2:17-CV-00843-SU
OREGON WILD,

Plaintiffs,

V.

DECLARATION OF KEVIN BRUBACHER

DISTRICT RANGER KRIS STEIN, in her official capacity as District Ranger of the Eagle Cap Ranger District, Wallowa-Whitman National Forest and the UNITED STATES FOREST SERVICE, an agency of the United States Department of Agriculture,

Federal Defendants,

and

WALLOWA COUNTY,

Intervenor-Defendant

I, Kevin Brubacher, pursuant to 28 U.S.C § 1746, declare as follows:

1. I am a President of Technical Imaging Systems (“TIS”) as an officer of the company in Vancouver, Washington since January 2001. I am the Account Representative for the United States Forest Service and have been responsible, with others, for preparing the invoice for the preparation of the Administrative Record for the Forest Service’s decision regarding the Lostine Public Safety Project, challenged in case No. 2:17-cv-00843-SU.
2. TIS’s portion of preparing the Administate Record for this matter involved converting Tag Image File Format (“TIFF”) images to PDF format, adding Optical Character Recognition (“OCRing”) to make the PDF images word searchable, electronically Bates stamping the PDF images, hyperlinking the PDF images to the index, editing the index, and burning the images to Digital Versatile Disc (“DVD”).
3. In order to prepare the Administrative Record I created a 4.5 GB Hybrid DVD containing the Administrative Record index and documents listed within the index. The work involved burning the documents listed in the Administrative Record and the Administrative Record itself to the Disc. The cost for this work is identified in the attached invoice as “DVD MASTERING 4.5 GB HYBRID DVD w/HYPER INDEX USFS LABLE FORMAT LOWSTINE P S. PROJECT.”

4. In order to prepare the Administrative Record I coded an excel sheet of the index of the Administrative Record. The work involved to prepare the electronic Administrative Record included converting TIFF images to PDF format, OCRing the PDF images, electronically Bates stamping the PDF images, hyperlinking the PDF images to the index, and editing the index. The cost for this work is identified in the attached invoice as "IT DEPT./ COMPUTER TIME CODING TO EXCEL SHEET HYPERLING / DISK AUTHORNG LOWSTINE P S. PROJECT."

5. TIS began working on the Administrative Record on August 14, 2017.

Attached to this Declaration is a true and correct copy of the invoice for services rendered by TIS through September 27, 2017 for finalizing the Administrative Record for the Forest Service's decision regarding the Lostine Public Safety Project.

I certify under penalty of perjury under the laws of the U.S. that the foregoing is true and correct.

Executed on this 29th day of August, 2018, in Portland, Oregon.



KEVIN BRUBACHER
President
Technical Imaging Systems

Remit to:



TECHNICAL IMAGING SYSTEMS, INC.

610 E 40th Street
Vancouver, WA 98663

INVOICE

Ph: (360) 567-1260
Fax: (360) 567-1261
www.tisimaging.com

INVOICE DATE	INVOICE NO.	PAGE
09/28/17	32197	1

FID #93-1326093

NET 30 DAYS

PAST DUE ACCOUNTS WILL BE CHARGED
1 1/2% INTEREST PER MONTH

SOLD TO
USFS REGIONAL LITIGATION
1220 SW 3rd AVE. STE 1600
PORTLAND, OR 97204

SHIP TO
USFS REGIONAL LITIGATION
1220 SW 3rd AVE. STE 1600
PORTLAND, OR 97204
S.GRIMES/DORI CREAMER

ORDER NO.	ORDER DATE.	CUSTOMER NO.	SALES	PURCHASE ORDER NO.	SHIP DATE	SHIP VIA
33956	08/14/17	B296	4	R0151 PO 30033	09/27/17	DELIVER

QUANTITY SHIPPED	ITEM #	DESCRIPTION	UNIT	ITEM PRICE	EXTENDED PRICE
1	4	SIGNED _____ DATE _____ confirmation of delivery PERFORMED 8/14/17-9/27/17	EACH	0.00	0.00
1.00	7011	INDEX SCANS SEARCH PDF ADD BATES NUMBER & INDEX PROJECT:LOWSTINE P S.PROJ 2028s ITEM 6 (f)	IMG	0.00001	0.00
1.00	5573	DVD MASTERING 4.5 GB HYBRID DVD w/HYPER INDEX USFS LABEL FORMAT LOWSTINE P S.PROJECT	EACH	24.00	24.00
41.27	5258	IT DEPT./COMPUTER TIME CODING TO EXCEL SHEET HYPERLING / DISK AUTHORG LOWSTINE P S.PROJECT	HR	30.00	1,238.10
2.00	9004	SHIPPING AND HANDLING CLIENT DROP @ TIS CLIENT PICKUP @ TIS	EACH	0.00	0.00

PLEASE GIVE CUSTOMER NUMBER AND INVOICE NUMBER(S) WITH REMITTANCE

DC

SALES AMOUNT	1262.10
MISC. CHARGES	0.00
FREIGHT	0.00
SALES TAX	0.00
TOTAL	1262.10
PAYMENT REC'D	
BALANCE DUE	